

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ANN HENRY,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No. 3:23-cv-01170-N-BT
	§	
RESCU FOUNDATION, and	§	
SCARBOROUGH RENAISSANCE	§	
FESTIVAL,	§	
	§	
Defendants.	§	

ORDER

On November 27, 2023, the Court granted Plaintiff Ann Henry's Motion for Leave to File an Amended Complaint and directed the Clerk of Court to file Henry's Amended Complaint attached to her motion. *See* Order (ECF No. 34). On the same day, the United States Magistrate Judge filed her Findings, Conclusions, and Recommendation recommending the Court dismiss without prejudice Henry's Title VII claims and dismiss with prejudice Henry's remaining claims in her Amended Complaint. Subsequently, Defendant RESCU Foundation and Defendant Scarborough Renaissance Festival each filed separate Renewed Motions to Dismiss Henry's Amended Complaint under Federal Rule of Civil Procedure 12(b)(6), and Henry filed an Objection to the November 27 Findings, Conclusions, and Recommendation. Among other things, the parties all seem to agree that Henry recently exhausted her administrative remedies

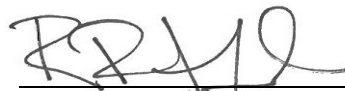
under Title VII by filing a charge with the EEOC and receiving a right-to-sue letter.

In view of the recent action in this case, the Court hereby VACATES the Findings, Conclusions, and Recommendation dated November 27, 2023. The Court further TERMINATES as moot the motions to dismiss directed at Henry's original Complaint—Defendant Scarborough Renaissance Festival's Motion to Dismiss filed on July 5, 2023 (ECF No. 11), and Defendant RESCU Foundation's Motion to Dismiss filed on July 5, 2023 (ECF No. 12).

Henry must file written responses to the renewed motions to dismiss. Her deadline to respond to Defendant RESCU Foundation's Motion to Dismiss (ECF No. 41) is **January 2, 2024**, and her deadline to respond to Defendant Scarborough Renaissance Festival's Motion to Dismiss (ECF No. 43) is **January 5, 2024**. Each Defendant may file a reply 14 days after Henry files her response. *See* N.D. Tex. L. Civ. R. 7.1(e), (f).

SO ORDERED.

December 18, 2023.



REBECCA RUTHERFORD
UNITED STATES MAGISTRATE
JUDGE